AMENDMENTS TO THE CLAIMS:

1. (currently amended) A method for data backup, comprising the steps of:

receiving, at a service provider server, a request from a subscriber server for

backing up at least one data increment <u>identified by an identifier</u> ~~which was previously~~

~~transmitted without a separate prior backup request between said subscriber server and a remote~~

~~destination through a provider server identifying said at least one data increment~~;

checking said ~~at least one~~ <u>service</u> provider server to determine if it has a copy of

at least a portion of the identified data increment or can regenerate or replicate at least a portion

of the identified data increment; and

<u>if it is found,</u> backing up the data increment using the copy or regenerated or

replicated portion from the <u>service</u> provider server ~~if it is found~~<u>; if it is not found, monitoring and</u>

<u>copying data having specified properties determined to be indicative of data likely to be subject</u>

<u>to said request.</u>

2. (currently amended) The method of claim 1, wherein ~~the step of identifying~~ <u>said</u>

at least one data increment <u>is identified by</u> ~~includes: evaluating~~ at least one of a ~~data~~ <u>date</u> stamp,

time stamp, sequence number, source address, URL and checksum of the data increment at the

subscriber server~~; and~~

~~sending an identifier for each identified data increment to a service provider data backup~~

~~server.~~

3. (currently amended) The method of claim 2, wherein <u>said data increment was</u>

<u>previously transmitted, without a separate prior backup request between said subscriber server</u>

<u>and a remote destination through said service provider server</u> ~~the service provider includes plural~~

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~~servers that monitor and copy data having specified properties determined to be indicative of~~

~~data likely to be subject to said request from a subscriber~~.

4. (currently amended) The method of claim 1, wherein if ~~the at least one~~ <u>said</u>

service provider server has the copy or regenerated or replicated portion of the identified data

increment, a checksum is computed to determine if the subscriber server copy contains the same

data as the copy or regenerated or replicated portion.

5. (original) The method of claim 1, wherein if a copy is sent from the subscriber

server after the checking step, back up is delayed for a time period.

6. (original) The method of claim 1, wherein the step of backing up includes backing

up the data increment to a service provider data backup server.

7-11. (canceled)

12. (currently amended) A system comprising:

means for receiving a request from one of plural subscriber servers for backing up at least

one data increment which was previously transmitted between said one subscriber server and at

least one <u>of plural</u> service provider access servers <u>of a service provider</u>;

means for identifying said at least one data increment;

means for checking said at least one service provider access server to determine if

it has a copy of at least a portion of the identified data increment or can regenerated or replicate

at least a portion of the identified data increment;

<u>means for monitoring and copying data having specified properties determined to</u>

<u>be indicative of data likely to be subject to said request;</u> and

means for backing up the data increment using the copy or regenerated or replicated

portion from the access server if it is found, <u>or using the copied data obtained by said means for</u>

<u>monitoring and copying if it is not found</u> ~~wherein the service provider comprises plural access~~

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servers ~~are~~ are ~~connected by a first network, and wherein said plural subscriber servers are~~ ~~connected by a second network~~.

13. (currently amended) The ~~method~~ system of claim 12, further comprising ~~a step of~~

means for backing up the data increment using a copy sent from the subscriber server after the checking step if it has not found a copy of at least a portion of the identified data increment or can regenerate or replicate at least a portion of the identified data increment, or said copied data obtained from said means for monitoring and copying ,wherein said plural servers are connected by a first network, and said plural subscriber servers are connected by a second network, and wherein said second network and said first network are connected by a communications medium having either a higher cost or lower bandwidth than said first network.

14. (currently amended) The method of claim ~~13~~ 1, further comprising ~~means for~~

a step of backing up the data increment using a copy sent from the subscriber server after the checking step if it has not found a copy of at least a portion of the identified data increment or can regenerate or replicate at least a portion of the identified data increment , or said copied data obtained from said means for monitoring and copying ,.

15. (currently amended) A system including a backup computer configured to ~~and~~ be

capable of backing up data from a subscriber computer comprising instructions for first ascertaining whether said data from a subscriber to be backed up is contained within a computer connected to said backup computer over a first local area network and if so, backing up said subscriber data from said computer connected to said first local area network, and if not, ~~communicating with said subscriber computer over a communications channel to back up the~~ ~~data from a computer connected to a second local area network,~~ monitoring communications between said subscriber and remotely located destinations and saving said data if it is found in said communications.

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16. (currently amended) The system claim 15 wherein <u>said computer communicates</u> <u>with said subscriber computer through</u> a ~~the~~ communications channel ~~is~~ of a lower bandwidth than said first local area network.

17. (previously presented) The system of claim 15 wherein the data is a data increment.

18. (previously presented) The system of claim 15 wherein computers connected to said backup computer over said first local area network provide services to said subscriber computer.

19. (currently amended) The system claim ~~15~~ <u>18</u> wherein said computers connected to said backup computer over said first local area network include at least one of a web server, an email server, and FTP server, a gateway, and a firewall for providing corresponding services to said subscriber computer.

20. (currently amended) The system of claim 19 wherein at least one of said computers connected to said backup computer over said first local area network is configured to monitor <u>said</u> communications between said subscriber and ~~a~~ <u>said</u> remotely located destination<u>s</u>, and to selectively cause data contained within said communications to be backed up ~~by itself or at least one of said computers connected to backup computer by said first local area network~~.

21. (new) A method for data back up, comprising the steps of:

saving at a service provider system, without a request from subscriber servers, at least some of data communicated between said subscriber servers and said service provider system;

receiving, at said service provider system, a request from at least one of said subscriber servers for backing up at least one data increment identified by an identifier included in said request;

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checking said service provider system to determine if it has a copy of at least a portion of the identified data increment or can regenerate or replicate at least a portion of the identified data increment; and

backing up the data increment using the copy or regenerated or replicated portion from the service provider system if it is found.

22. (new) The method of claim 21, further comprising a step of using a copy received from said at least one subscriber server to back up the requested data increment after the checking step if it has not found a copy of at least a portion of the identified data increment or can regenerate or replicate at least a portion of the identified data increment.

23. (new) The method of claim 21, wherein said step of saving is carried out during communications sessions between said subscriber servers and remote destinations through said service provider system.

24. (new) The method of claim 23, wherein said service provider system comprises one or more access servers for facilitating said communications sessions and a backup server for backing up said requested data increment.

25. (new) The method of claim 24, wherein said step of checking comprises checking at least one of said access servers.

26. (new) The method of claim 21, wherein said identified data increment is one that was transmitted from, or received by, said at least one subscriber server through said service provider system in a previous communications session without a request for backup from said subscriber server.

27. (new) The method of claim 21, further comprising steps of monitoring and copying data having specified properties determined to be indicative of data likely to be subject to said request after the checking step if it has not found a copy of at least a portion of the

identified data increment or can regenerate or replicate at least a portion of the identified data increment.

28. (new) The method of claim 23, wherein said service provider system is an ISP system.

29. (new) A service provider system comprising:

means for saving, without a request from subscriber servers, at least some of data communicated between said subscriber servers and said service provider system;

means for receiving a request from at least one of said subscriber servers for backing up a data increment identified by an identifier included in said request;

means for checking if said service provider system has a copy of at least a portion of said identified data increment or can regenerate or replicate at least a portion of the identified data increment; and

means for backing up said identified data increment using said copy or regenerated or replicated portion from said service provider system.

30. (new) The service provider system of claim 29, further comprising means for downloading a copy of said identified data increment from said subscriber server and for backing up identified data increment using said downloaded copy if no portion of said identified data increment is found available or can be regenerated or replicated at said service provider system.

31. (new) The service provider system of claim 29, further comprising means for monitoring and copying data having specified properties determined to be indicative of data likely to be subject to said request.

32. (new) The service provider system of claim 29, wherein said saving means comprises one or more access servers for facilitating data communications sessions between said subscriber servers and remote destinations through said service provider system.

33. (new) The service provider system of claim 32, wherein it is an ISP system.

34. (new) The service provider system of claim 32, further comprising a backup server for backing up said requested data increment.

35. (new) The service provider system of claim 29, wherein said requested data increment is one that was transmitted from, or received by, said at least one subscriber server through said service provider system in a previous communication session without a request for backup from said subscriber server.

36. (new) The service provider system of claim 35, wherein said backup server is connected to said access server via a first communications channel and said subscriber server is connected to said service provider system via a second communications channel that is lower in bandwidth than said first communications channel.